

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**Sterling Robinson,**

**Petitioner,**

**v.**

**Warden, Madison Correctional  
Institution,**

**Respondent.**

**Case No. 2:23-cv-89**

**Judge Michael H. Watson**

**Magistrate Judge Bowman**

**ORDER**

Sterling Robinson ("Petitioner") is a state inmate at Madison Correctional Institution who brings a petition for a writ of habeas corpus under 28 U.S.C. § 2254. Petition, ECF No. 1. Petitioner also moves for summary judgment on his petition. Mot., ECF No. 13.

The Magistrate Judge reviewed the case and issued a Report and Recommendation ("R&R") recommending the Court deny Petitioner's motion for summary judgment and deny with prejudice Petitioner's petition for a writ of habeas corpus. R&R, ECF No. 15. Specifically, the R&R concluded that all five grounds for habeas relief were both procedurally defaulted and meritless. See *generally, id.*


The R&R advised Petitioner of his right to object to the recommendations contained therein and of the consequences of failing to timely do so. *Id.* at 15–16. Namely, the R&R warned Petitioner that a failure to timely object "will result

in a waiver of the right to have the district judge review the Report and Recommendation *de novo*, and also operates as a waiver of the right to appeal the decision of the District Court adopting the Report and Recommendation.” *Id.* at 16 (citations omitted).

The deadline for objecting has passed, and Petitioner did not timely object to any portion of the R&R. Accordingly, Petitioner has forfeited his right to *de novo* review and the right to appeal this Order adopting the R&R. The Court **ADOPTS** the R&R without conducting a *de novo* review. Petitioner’s motion for summary judgment and petition for a writ of habeas corpus are both **DENIED**. Finally, the Court **DECLINES** to issue a certificate of appealability and **CERTIFIES** pursuant to 28 U.S.C. § 1915(a)(3) that any appeal would not be taken in good faith.

The Clerk is **DIRECTED** to enter judgment for Respondent and terminate this case.

**IT IS SO ORDERED.**

  
**MICHAEL H. WATSON, JUDGE**  
**UNITED STATES DISTRICT COURT**